

To: astrauss, lbarsam, clixx, sfitzger, csproul
From: Doris Betuel <R9H2O/DBETUEL>
Date: 27 Jul 95 16:46:04
Subject: Lahaina UIC permit
X-mailer: Pegasus Mail v2.2 (R4b).

Hi Alexis, Loretta, Shannon, and copy to Corine/Chris: here's a quick status report on the Lahaina UIC permit.

Milton, Chris, Corine and I contacted Maui County and the HIDOH to get:
1. Maui County's info on why they requested that EPA hold off on setting nutrient limits on their UIC permit, pending another year's worth of data.
2. DOH's view on nutrient limits in general (as Bruce Anderson had expressed some concerns during the QMM meeting)

Prior to the calls, we were leaning towards settling the permit appeal by dropping the GW monitoring well requirement and replacing it with an enforceable limit for nitrates.

Results of the calls:

1. The County requested that we call them back on Tuesday, 8/1 at 1030am WST to discuss their answer as they were not prepared to talk today. We agreed to that and requested that their Counsel also sit in (as will Chris). [The call will take place in Loretta's office.]

2. DOH (Tom Arizumi) requested that we NOT have nutrient limits on the UIC permit, even if the County agreed to them as such limits on Lahaina could infer that ones would be needed at Honolulu, thus having the indirect effect of discouraging reclamation. Tom also mentioned that EPA's inclusion of nutrient limits (not in the State UIC permit) would send the wrong message to the legislature of "why have a State UIC program, we can save \$, the feds are here and more stringent anyway." We also floated the possibility of permit limits of 2.5-3 mg/L for nitrates (which Lahaina was already meeting), DOH expressed concern about a limit that was below MCL's. Chauncy Hew suggested an Action level of ~2.5 as an alternative. After more discussion, we agreed to defer our discussion until early next week, and before EPA contacted the County on 8/1. Tom would call me directly -- no later than Monday, 7/31.

Reactions/Recommendations:

I think that the County would accept nitrate limits ~3 mg/l. I think DOH would not like this. If we drop the GW monitoring wells from the permit and not replace it with "anything", the environmental community may feel we are not being responsive to them.

I feel that setting an Action Level of ~2.5 mg/l with a enforceable limit of 10 (the MCL) for nitrates would be acceptable to the County, separates Lahaina from Honolulu by tying it to DW standards, might upset DOH but not a lot, and might be enough to accomodate concerns from the environmental community.

Next steps:

I'll wait further word from DOH, but would recommend we pursue the recommendation for an Action Level/MCL limit on the permit.

